

August 31, 2022

Re: *In re LIBOR-Based Fin. Instruments Antitrust Litig.*, Master File No. 11-md-2262-NRB

Via ECF

The Honorable Naomi Reice Buchwald  
United States District Judge, Southern District of New York  
Daniel Patrick Moynihan U.S. Courthouse  
500 Pearl Street  
New York, NY 10007-1312

Dear Judge Buchwald:

We serve as liaison counsel for the Class Plaintiffs, the Direct Action Plaintiffs, and the Defendants in the above-referenced LIBOR MDL and write in connection with the parties' negotiations concerning an ESI protocol. The current deadline to agree on an ESI protocol or file pre-motion letters is September 1, 2022 (see ECF No. 3457).

The parties have made progress on agreeing to an ESI protocol, and while there are a few remaining provisions on which the parties have not agreed, the parties are hopeful they can eliminate or further narrow their remaining disputes if afforded additional time. To avoid burdening the Court with unripe or unnecessary disputes, the parties seek to extend the deadline to agree or file pre-motion letters on an ESI protocol from September 1, 2022 to September 13, 2022.

The parties do not expect this extension to impact any other deadlines under the scheduling order.

Respectfully yours,

/s/ William Christopher Carmody  
William Christopher Carmody

Co-Lead Counsel for the OTC Plaintiffs  
and Liaison Counsel for the Class Plaintiffs

/s/ James Robertson Martin  
James Robertson Martin

Counsel for The Federal Deposit Insurance Corporation  
as Receiver for 19 Banks and The Federal Home Loan  
Mortgage Corporation and Liaison  
Counsel for the Direct Action Plaintiffs

/s/ Paul S. Mishkin  
Paul S. Mishkin

Counsel for Bank of America Corporation and Bank of  
America, N.A., and Liaison Counsel for Defendants

Cc: All counsel via ECF